IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO. 619 OF 2006**

Ashishkumar Annaso Patil.... ... Applicant.

Versus

The State of Maharashtra. .... Respondent.

Mr. V. V. Pulwant for the Applicant.

Ms. S. U. Gajre, APP for the State.

**CORAM : V. M. KANADE, J.**

**DATED : 23RD FEBRUARY, 2006.**

**P.C.:**

Heard learned Counsel for the Applicant and the learned APP for the State.

2. This is an application filed by the original Complainant for expediting the criminal case, which is pending in the Court of the Additional Sessions Judge, Sangli.

3. It is submitted that the trial is being postponed at the behest of the accused on account of various applications, which are made for adjournment from time

to time. He has invited my attention to the Roznama of the trial Court. He has also invited my attention to the application filed on behalf of the Accused No.4 dated 20th January, 2006, which is filed by the Advocate for the Accused. In the present case, the charge has already been framed. However, the record indicates that various dates have been given on applications, which were filed by the Advocate for the Accused Nos.3 and 4. Without expressing any opinion on the applications, which are made by the Accused No.4, which is annexed to the present application, the Additional Sessions Court, Sangli, is hereby directed to hear and decide the criminal case as expeditiously as possible.

4. It is expected that the learned Counsel, who appear on behalf of the Accused, would find time to appear in the Court of the Additional Sessions Judge inspite of their busy schedule, which is clearly reflected from the application filed by the Advocate appearing on behalf of the Accused No.4. It is expected that the learned Counsel, who accepts brief on behalf of the Accused, owe a duty not only to the client, but also to the Court and if they are unable to appear before the lower Court on account of their

busy schedule, it is expected that the Accused make necessary alternate arrangement or the Counsel returns the brief so that there is no obstruction in the administration of justice. This is to be noted particularly when criticism is made by the Senior Counsel and others regarding the pendency of cases in the Court.

5. With this observation, the application is disposed of.

Sd/-

**(V. M. KANADE, J.)**